

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

	)	
WELLS FARGO BANK, N.A.,	)	
Plaintiff,	)	
	)	
v.	)	Civ. No. 1:12cv927
	)	
JACK W. FELLERS, <u>et al.</u> ,	)	
Defendants.	)	
	)	

MEMORANDUM OPINION

THIS MATTER came before the Court on plaintiff's Motion to Compel (Dkt. 12). The Court has reviewed the pleadings.

Defendants' counsel provided a vague, wholly unsatisfactory explanation for defendants' failure to respond to discovery, especially given defendants' counsel's lack of immediate response to plaintiff's counsel's follow-up inquiries. The Court is dismayed at the apparent lack of diligence and concern with respect to defendants' counsel's obligations. The Court, therefore, finds that the motion must be granted. Defendants must hand deliver complete discovery responses to plaintiff's counsel by 5:00 p.m. on February 15, 2013. Failure to comply may result in sanctions pursuant to Fed. R. Civ. P. 37. Costs and fees for bringing this motion are appropriate and should be awarded against defendants and John P. Forest, II and StahlZelloe, PC, jointly and severally. Plaintiff shall file a

statement of fees and costs forthwith for the Court's consideration. An appropriate Order shall issue.

ENTERED this 8th day of February, 2013.

/s/  
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 THERESA CARROLL BUCHANAN  
 UNITED STATES MAGISTRATE JUDGE

Alexandria, Virginia